

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Amy Philbrick, LLC

v.

Civil No. 06-cv-254-JD

S/V Niobe, in rem; the Estate of
Stephen Woods; and Deborah Woods

PROCEDURAL ORDER

Amy Philbrick, LLC, is a corporation related to a commercial fishing boat, the Amy Philbrick. On October 20, 2005, the Amy Philbrick was notified of another vessel in need of assistance, the S/V Niobe. The Amy Philbrick found the Niobe "drifting out of control in ten foot, northwesterly seas, with one person on board," attached a towline, and towed the Niobe into the harbor at Portsmouth, New Hampshire. Complaint at 2.

Based on those events, Amy Philbrick, LLC, ("Philbrick") brings claims against the S/V Niobe, and the Estate of Stephen Woods and Deborah Woods as owners of the Niobe. Philbrick alleges that it is the rightful owner and possessor of the Niobe and is entitled to a salvage award for the rescue. Only Deborah Woods, who is proceeding pro se, has filed an answer.¹ No

¹A non-attorney party, appearing pro se, may appear in this court only on his or her own behalf. LR 83.2(c). Therefore, Deborah Woods cannot represent the S/V Niobe or the Estate of Stephen Woods in this case.

counsel has filed an appearance or any other pleading on behalf of the Niobe or the Estate of Stephen Woods, and the docket includes no indication as to whether the Estate of Stephen Woods was served with the complaint.

The bench trial of this case is scheduled to be held on August 1 and 2, 2007. Therefore, Philbrick shall file a trial memorandum that: (1) clarifies the status of the defendants in this case, in particular, whether the Niobe and the Estate of Stephen Woods are defendants despite the absence of appearances filed on behalf of either, and (2) provides the factual and legal bases of its claims. The plaintiff's trial memorandum shall be filed on or before **June 1, 2007**. Deborah Woods shall file a responsive trial memorandum that provides the factual and legal bases for her defenses to the plaintiff's claims on or before **June 15, 2007**.

SO ORDERED.


Joseph A. DiClerico, Jr.
United States District Judge

May 17, 2007

cc: Edmond J. Ford, Esquire
William H. Welte, Esquire
Deborah L. Woods, pro se